

# Exhibit B

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this correspondence is being deposited  
 with the United States Postal Service as Express Mail No.  
BL 336 535 028 US in an envelope addressed to:  
 Commissioner of Patents and Trademarks, Washington,  
 D.C. 20231, on:  
June 9, 1999  
 (date)

*Alan Isral*  
 Alan Isral  
 Reg. No. 27,564

#51A  
 ENO 99  
 R. Tallent

06/09/99  
 RECEIVED  
 U.S. PTO

In re:  
 Divisional Application of : Boris MITLITSKY, et al.  
 Filed : June 9, 1999  
 For : OPTICAL SCANNER HAVING MULTI-FOCUS  
 LENS FOR MULTIPLE WORKING RANGES

New York, New York  
 June 9, 1999

**PRELIMINARY AMENDMENT**

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

Sir:

Prior to calculation of the filing fee and before examination, kindly amend the  
 above captioned application as follows:

**IN THE TITLE:**

Page 1, please change the title to read as follows:

-- ELECTRO-OPTICAL SCANNER HAVING  
 STATIONARY, MULTI-SURFACE MIRROR HAVING  
 SURFACES WITH APLANAR PROFILES --

**IN THE SPECIFICATION:**

Page 1, cancel lines 7 and 8, and substitute the following:

*for 8/16/02*  
This application is a division of U.S. Patent Application Serial No. 09/009,231, <sup>now U.S. Patent 5,794,502</sup> filed January 20, 1998, which, in turn, is a continuation-in-part of U.S. Patent Application Serial No. 08/405,585, filed March 17, 1995, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 08/268,982, filed June 30, 1994, now U.S. Patent No. 5,742,638, which is a continuation-in-part of U.S. Patent Application Serial No. 08/314,519, filed September 28, 1994, now U.S. Patent No. 5,506,392, which is a divisional of U.S. Patent Application Serial No. 08/109,021, filed August 19, 1993, now U.S. Patent No. 5,352,922, which is a divisional of U.S. Patent Application Serial No. 07/735,573, filed July 25, 1991, now U.S. Patent No. 5,278,397, and is related to U.S. Patent Application Serial No. 08/864,452, filed May 28, 1997, now allowed.

Page 2, lines 13-14, change "US 5,332,892" to -- No. 5,332,892 --;

line 24, change "characterised" to -- characterized --.

Page 3, line 12, change "US" to -- U.S. Patent No. --.

Page 4, line 3, delete "co-pending"; and

change "3/17/95" to -- March 17, 1995, now abandoned, --.

Page 5, delete lines 4-26 in their entirety.

Page 6, delete in its entirety.

Page 7, delete lines 1-19 in their entirety;

line 20, delete "yet a further aspect of"; and

line 21, before "multi", insert -- a --.

Page 9, line 13, change "Fig. 6 shows" to -- Figs. 6a-6c show --.

Page 11, line 20, delete "to", second occurrence.

Page 12, line 9, change "Figs. 2a and 2b Fig. 2a shows" to -- Figs. 3a-3d. Figs.

3a-3c show --; and

line 18, change "2b" to -- 3d --.

Page 13, line 2, change "2b" to -- 3d --; and

line 4, change "2b" to -- 3d --.

Page 14, line 5, change "Fig. 3a and 3b" to -- Figs. 3a-3d --.

Page 15, line 8, change "Figure 6" to -- Figs. 6a-6c --;

line 9, before "suitable", insert -- is --; and

line 13, change "heat" to -- head --.

Page 16, line 20, change "1324" to -- 1323 --;

line 22, change "1326" to -- 1325 --;

change "1328" to -- 1327 --;

line 23, change "1326" to -- 1325 --;

line 24, change "1310" to -- 1311 --;

change "1328" to -- 1327 --; and

line 25, before "operates", insert -- 1326 --.

Page 17, line 6, change "311" to -- 1311 --;

line 11, change "310, 311" to -- 1310, 1311 --; and

line 23, change "310, 311" to -- 1310, 1311 --.

Page 18, line 8, change "beam" to -- beams --;

line 9, change "and indicia" to -- an indicia --; and

line 17, change "203" to -- 213 --.

Page 20, line 9, change "representations" to -- representation --;

line 13, change "reasons" to -- regions --; and

line 18, change "ranged" to -- ranges --.

**IN THE CLAIMS:**

Please delete claims 1-48, without prejudice.

Please add the following new claims as follows:

49. An optical scanner for reading indicia having areas of different light reflectivity, the scanner including a stationary, multi-surface, fold mirror having a first surface of a first applanar profile and a second surface of a second, different applanar profile.

50. An optical scanner for scanning indicia having areas of different light reflectivity, comprising:

a light source for producing a light beam; and

a scanning optical element for receiving the light beam and producing a scanning light beam therefrom, and a stationary, beam-shaping fold mirror comprising a cylindrical mirror for shaping the light beam.

51. An optical scanner for scanning indicia, the scanner comprising:

a light source producing a light beam that converges in both x and y directions so that the light beam has a waist in both the x and y directions, where x and y are orthogonal directions; and

a scanning element positioned to receive the light beam and reflect the light beam in a scanning motion along the x direction across the indicia, and a stationary fold mirror including a convex beam-shaping surface shaped to diverge light in the y direction to at least reduce convergence of the light beam in the y direction.

52. The optical scanner of claim 51, wherein the convex surface is substantially cylindrical about an axis extending in the x direction so as to produce divergence of light in the y direction.

**IN THE ABSTRACT:**

Delete the "Abstract" and replace it with the "Abstract of the Disclosure" set forth on a separate sheet attached hereto.

**REMARKS**

This case is directed to the invention of Fig. 12, new claims 49-52 presented herewith. The claims are entitled to an effective date of U.S. Application Serial No. 08/405,585, filed March 17, 1995.

The Examiner is respectfully directed to claim 11 of U.S. Patent No. 5,859,417. If the Examiner deems that a terminal disclaimer is necessary, it is requested that he so advise the undersigned and it will be forwarded if deemed proper.

Applicants respectfully request that the inventorship of this divisional application be amended since the invention, as embodied in the current set of claims, was invented by only the following three inventors: *Boris METLITSKY, Edward BARKAN and Paul DVORKIS.*

Applicants have amended the title and the specification and the drawings to correct minor errors.

Also enclosed is a marked-up copy of selected figures of the drawings showing minor corrections for the Examiner's approval.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

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